

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
*Pittsburgh Division***

**IN RE: PHILIPS RECALLED
CPAP, Bi-PAP, AND
MECHANICAL VENTILATOR
PRODUCTS LIABILITY
LITIGATION**

Master Docket No. **2:21-mc-01230-JFC**

MDL No. 3014

Judge **JOY FLOWERS CONTI**

This Document Relates To:

King v. Koninklijke Philips N.V., et al.
Case No. 2:23-cv-02040-JFC

**PLAINTIFF DERRICK MARTIN KING’S MOTION TO COMPEL
DISCOVERY OR IN THE ALTERNATIVE MOTION TO REMOVE CASE
FROM THE CLASS ACTION PROCEEDINGS AND REMAND CASE TO
THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OHIO, THE SUMMIT COUNTY (OHIO) COURT OF
COMMON PLEAS, OR TO THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA IN CASE NO. 2:23-
cv-02040 KING vs. KONINKLIJKE PHILIPS N.V., et al.**

Now comes the *pro se* Plaintiff **DERRICK MARTIN KING** and he respectfully moves this Honorable Court for the entry of an Order which compels the Defendants to produce all of the discovery previously turned over to the other Plaintiffs. In the alternative, Plaintiff King asks this Court to formally exclude him from the class-action and remand the matter to one of the following jurisdictions:

- United States District Court for the Northern District of Ohio, Case No. 5:23-cv-02042-PAB (*King v. Koninklijke Philips N.V., et al.*);

- Summit County (Ohio) Court of Common Pleas, Case No. CV-2023-09-3075 (*King v. Philips North America LLC, et al.*); or
- United States District Court for the Western District of Pennsylvania, Case No. 2:23-cv-02040-JFC (*King v. Koninklijke Philips, N.V., et al.*).

A brief in support of Plaintiff King's motion is filed concurrently with this Motion.

Dated: January 3, 2024.

Respectfully Submitted,

/s/ Derrick Martin King

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Pro se Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was tendered for filing with the Clerk of the Court. Upon receipt and approval by the Clerk, the document will immediately be listed on the Court's electronic filing system and served upon the parties either through the CM/ECF filing system or through the MDL Centrality website.

Dated: January 3, 2024.

/s/ Derrick Martin King

DERRICK MARTIN KING

Pro se Plaintiff